

dial; and

said control means causes said display means to display a selection item of said high hierarchy on said display together with said items of said low hierarchy that are linked with said selection item.--

REMARKS

Claims 1-5 remain in the application. Claim 6 has been cancelled, without prejudice or disclaimer, and independent claim 5 has been amended hereby.

The claims have been carefully reviewed and amended with particular attention to the points raised in the Office Action. It is submitted that no new matter has been added and no new issues have been raised by the present amendment.

Attached hereto is a version with markings to show changes made to the claims by the current Amendment.

Applicants acknowledge the indication in the Office Action that claims 1-4 are allowed.

Applicants note the indication in the Office Action that the original U.S. Letters Patent No. 5,999,827, or a statement as to loss or inaccessibility of the original patent, must be received before the present reissue application can be allowed. Applicants have attended to retrieving the original patent and will submit it immediately upon its availability.

Reconsideration is respectfully requested of the rejection of claims 5 and 6 under 35 U.S.C. § 103(a), as being allegedly unpatentable over U.S. Patent No. 5,758,295 (Ahlberg

et al.) in view of U.S. Patent No. 5,237,311 (Mailey et al.) and U.S. Patent No. 5,572,239 (Jaeger).

Applicants have carefully considered the Examiner's comments and the cited references, and respectfully submit that amended claim 5 is patentable over the cited references for at least the following reasons.

The present invention relates to a communication terminal apparatus having a selection operation unit, and a control method thereof. The communication terminal apparatus includes a selection operation unit and a operation input unit. The communication terminal apparatus includes a rotatable jog dial that may be operated in either a circumferential or radial direction.

A display and menu screen are also included, wherein the menu screen has a hierarchical structure such that it can descend to submenu screens on a next lower layer by click operating the jog dial.

Ahlberg et al., as understood by Applicants, relates to a mobile radio terminal including a display for outputting at least one menu. The menu includes at least one branch for processing phone calls and each of the branches includes at least one option for choosing a corresponding action to be performed by the radio terminal, including causing a successive branch to be displayed and performing a terminal function.

Mailey et al., as understood by Applicants, apparently relates to a trackball rotatably mounted on rollers that are connected with rotational encoders for producing a series of pulses. Up/down counters convert the pulses into an

indication of translation along two axes. Downward pressure on the trackball causes a transducer to output an electrical signal that is recognizable as a selection signal. The transducer may have more than one state and may be a strain gauge or other transducer that provides an output whose magnitude varies with an amount of force. A comparator compares the output of the transducer with a threshold to indicate whether a selection signal is to be issued.

The Office Action states that neither Ahlberg et al. nor Mailey et al. show or disclose changing a display layout when the selection operation means is operating in the second direction to change a display listing selection items of high hierarchy in a first format to a display listing selection items of low hierarchy that are linked with the desired selection item in a second format, the first and second formats being recognizably different (see Office Action, p. 4, lns. 10-15). Jaeger is apparently cited as showing the missing elements.

Jaeger, as understood by Applicants, relates to an operator/circuit interface with an integrated display screen. Electromechanical control devices are provided to facilitate operator interaction with electrical systems. The electromechanical control devices have switch buttons, rotary knobs or the like, with flat panel displays that convey information pertaining to controls that can be changed instantly by a display controller. The displays may identify a function of the control, a current setting, create calibration marks, or provide other graphics. Images change automatically when the same control is used for multiple

functions.

The display screens of Jaeger may have openings in the image area and controls that extend through and protrude from the screen enabling display of graphics in close proximity to the controls. Alternatively, the settings of controls that are secured to the face of a display screen may be optically or magnetically detected by sensors located behind the screen. The display may also be embedded in a switch key and have an image area that is substantially coextensive with the key.

The Office Action cites col. 13, lns. 7-23 of Jaeger as allegedly disclosing a display layout when the selection operation means is operated in the first direction that is recognizably different from the display layout when the selection operation means is operated in the second direction (see Office Action, p. 4, lns. 15-20).

As understood by Applicants, the cited section of Jaeger refers to a control system coupled to a computer and illustrated in Fig. 16 (see Jaeger, col. 12, ln. 61 to col. 13, ln. 23; Fig. 16).

The control system of Jaeger has a button operated switch and a rotary encoder embedded in the flat panel display (see id.). A main menu is accompanied by a display of lines extending from a periphery of the encoder, the lines terminating at icons (see id.). Turning of the rotary encoder knob allows selection of one of the icons (see id.). The encoder of Jaeger can generate a different digital signal byte at each setting (see id.).

Depression of the switch transmits a signal to the computer to recognize the icon to which the encoder has been

rotated, and results in replacement of the icons with graphics of a selected pop-up window (see id.).

That is, as understood by Applicants, depression of the switch of Jaeger causes the main menu items to be replaced with a corresponding pop-up window. The main menu item and corresponding pop-up window are not displayed simultaneously.

In contrast, in the presently claimed invention the menu screen has a hierarchical structure such that it may descend to submenu screens on a next lower layer by click operating the jog dial (see specification of the present application, col. 15, lns. 10-18; Figs. 27-31).

Referring to Fig. 27 of the present application, a set of menu screens W1 to W10 are located in the highest layer and may be accessed by rotation of the jog dial selection device. Figs. 28-31 of the present application illustrate menu screens in lower layers accessible by selection of a corresponding screen in the upper layer.

Additionally, in the present invention, the control means causes the display means to display a selection item of the high hierarchy on the display together with the items of the low hierarchy that are linked with the selection item.

It is respectfully submitted that neither Ahlberg et al., Mailey et al., nor Jaeger suggest or disclose, alone or in combination, control means for controlling a position of a pointer to indicate a desired item out of the plurality of selection items displayed on the display means when the selection operation means is operated in the first direction and changing a display layout when the selection operation means is operated in the second direction to change from a

display listing selection items of high hierarchy in a first format to a display listing selection items of low hierarchy that are linked with the desired selection item in a second format, the first and second formats being recognizably different, wherein the first direction is circumferential relative to the jog dial, the second direction is radial relative to the jog dial, and the control means causes the display means to display a selection item of the high hierarchy on the display together with the items of the low hierarchy that are linked with the selection item, as recited in independent claim 5.

Additionally, it is submitted that there is no suggestion or motivation in the cited references to combine the elements in the manner suggested in the Office Action.

Accordingly, for at least the above-stated reasons, it is respectfully submitted that amended independent claim 5 is patentably distinct over the cited references.

Withdrawal of the rejection under 35 U.S.C. 103(a) is respectfully requested.

Furthermore, it is submitted that the elements of claim 6 have merely been incorporated into amended independent claim 5 by the present amendment. It is therefore respectfully submitted that the present response does not raise new issues that would require further consideration and/or search.

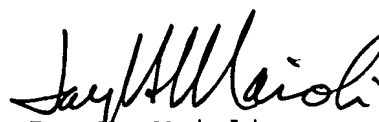
Should the Examiner disagree therewith, it is respectfully requested that the Examiner specify where in the cited document there is a basis for such disagreement.

The Office is hereby authorized to charge any additional fees which may be required in connection with this amendment

and to credit any overpayment to Deposit Account No. 03-3125.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,
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JHM/AVF

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Claim 5 has been amended as follows:

--5. (Three Times Amended) A portable communication terminal apparatus comprising:

a body;

transmitting and receiving means arranged in said body;

a rotatable jog dial selection device arranged on said body operable by a user in a first direction along a surface of said body and in a second direction substantially perpendicular to said first direction;

operation detection means for detecting an operation of said selection operation means in said first direction and in said second direction;

storage means for storing data of a plurality of selection items which are hierarchically arranged;

display means for displaying said plurality of selection items read out of said storage means; and

control means for controlling a position of a pointer to indicate a desired item out of said plurality of selection items displayed on said display means when said selection operation means is operated in said first direction and changing a display layout when said selection operation means is operated in said second direction to change from a display listing selection items of high hierarchy in a first format to a display listing selection items of low hierarchy that are

linked with said desired selection item in a second format,
said first and second formats being recognizably different,
wherein

said first direction is circumferential relative to said
jog dial; and

said second direction is radial relative to said jog
dial; and

said control means causes said display means to display a
selection item of said high hierarchy on said display together
with said items of said low hierarchy that are linked with
said selection item.--